

Application No. 09/921,107
Amendment dated January 26, 2006
Reply to Office Action of July 26, 2005

REMARKS

Applicants cancelled claims 1-6 and 28-31 without prejudice or disclaimer of their subject matter, amended claims 7, 12-15, and 19, and added new claims 32-37 to further define Applicants' claimed invention. New claim 32 is supported at least by page 6, lines 17-18 of the specification. New claim 33 is supported at least by page 7, lines 1-2 of the specification. New claims 34 and 35 are supported at least by page 1, lines 17-18 of the specification. New claims 36 and 37 are supported at least by page 7, lines 7-9 of the specification. No new matter has been added.

In the Office Action, the Examiner rejected claims 7-14 and 19-27 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,178,407 to Lotvin et al. ("Lotvin") in view of U.S. Patent No. 5,826,243 to Musmanno et al. ("Musmanno"). Independent claim 7, as now amended, recites a system with a computer processor programmed to permit at least one main account "to control access to the digital media content available to said main account and one or more sub-accounts associated with said main account, the controlled access to the digital media content of said one or more associated sub-accounts not being limited to a subset of the controlled access to the digital media content of said main account." Lotvin does not teach or suggest using sub-accounts. Musmanno teaches a system "for managing a plurality of composite accounts for financial cash management" which includes "a master account and at least one subaccount" that allows "an individual" to establish and manage a portfolio of cash assets. (Musmanno, col. 2, line 66 to col. 3, line 4). Musmanno does not teach or suggest that it is possible for the sub-account to have access not limited to a subset of the access of the master account. Neither Lotvin nor Musmanno, whether alone or in proper combination, teach or suggest a system as recited in independent claim 7 of Applicants' claimed invention.

Independent claim 19, as now amended, recites a method including the step of "providing an option for the primary account to control access to the digital media content available to the primary account and the sub-account linked to the primary

Application No. 09/921,107
Amendment dated January 26, 2006
Reply to Office Action of July 26, 2005

account, the controlled access to the digital media content available to the linked sub-account not being limited to a subset of the controlled access to the digital media content of the primary account." As set forth above, Lotvin does not teach or suggest the use of sub-accounts, and Musmanno does not teach or suggest that it is possible for the sub-account to have access not limited to a subset of the access of the master account. Neither Lotvin nor Musmanno, whether alone or in proper combination, teach or suggest a method as recited in independent claim 19 of Applicants' claimed invention. Accordingly, Applicants submit that the rejection of claims 7-14 and 19-27 under 35 U.S.C. § 103(a) as being unpatentable over Lotvin in view of Musmanno has been overcome.

The Examiner rejected claims 10 and 26 under 35 U.S.C. § 103(a) as being unpatentable over Lotvin in view of Musmanno, further in view of Cragun et al. Applicants submit that the rejections over claims 10 and 26 are rendered moot at least because they depend from an allowable independent claim, or claims dependent therefrom.

The Examiner rejected claims 15, 17, and 18 under 35 U.S.C. § 103(a) as being unpatentable over Lotvin in view of U.S. patent No. 5,848,396 to Gerace ("Gerace"). Independent claim 15, as now amended, recites a system including a database for storing "a plurality of accounts used for accessing digital media content" and a computer processor programmed to "place each of the account holders as members of a group of account holders sharing at least one characteristic, said characteristic including the interaction of a plurality of account holders with the digital media content, said members of said group being determined by use of the digital media content by one or more members of said group." Neither Gerace nor Lotvin, whether alone or in proper combination, teach or suggest a system as recited in independent claim 15 of Applicants' claimed invention. Applicants submit that the Examiner's rejection of claims 15, 17, and 18 under 35 U.S.C. § 103(a) as being unpatentable over Lotvin in view of Gerace has been overcome.

Application No. 09/921,107
Amendment dated January 26, 2006
Reply to Office Action of July 26, 2005

The Examiner rejected claim 16 under 35 U.S.C. § 103(a) as being unpatentable over Lotvin in view of Gerace, further in view of Musmanno. Applicants submit that the rejection over claim 16 is rendered moot at least because it depends from an allowable independent claim, or claims dependent therefrom.

Applicants submit that independent claims 7, 15, and 19 are patentable and that dependent claims 8-14, 16-18, 20-27, and 32-35 dependent from independent claim 7, 15, and 19, or claims dependent therefrom, are patentable at least due to their dependency from an allowable independent claim.

In view of the foregoing remarks, it is respectfully submitted that the claims, as amended, are patentable. Therefore, it is requested that the Examiner reconsider the outstanding rejections in view of the preceding comments. Issuance of a timely Notice of Allowance of the claims is earnestly solicited.

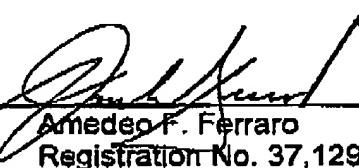
To the extent any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this reply, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 50-1068.

Respectfully submitted,

MARTIN & FERRARO, LLP

Dated: 1-26-06

By:



Amadeo F. Ferraro
Registration No. 37,129

1557 Lake O'Pines Street, NE
Hartville, Ohio 44632
Telephone: (330) 877-0700
Facsimile: (330) 877-2030